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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/607,592	06/27/2003	Melur K. Raghuraman	30835/154731	6008
45373 7590 03/07/2007 MARSHALL, GERSTEIN & BORUN LLP (MICROSOFT) 233 SOUTH WACKER DRIVE 6300 SEARS TOWER CHICAGO, IL 60606			EXAMINER OSMAN, RAMY M	
			ART UNIT	PAPER NUMBER

2157

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/07/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/607,592

Applicant(s)

RAGHURAMAN ET AL.

Examiner

Ramy M. Osman

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 June 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 June 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Status of Claims

1. This action is responsive to application filed on June 27, 2003. Claims 1-31 are pending examination.

Drawings

2. The drawings filed on 6/27/2003 are acknowledged and are acceptable.

Claim Rejections - 35 USC § 101

4. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

5. Claims 13,25 and 29 rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. A statutory computer process is determined not by how the computer performs the process, but by what actions an actual computer will perform to achieve a practical application with a useful, concrete and tangible result. The claims are presented simply as a program per se which consists of software instructions without a physical tangible output result that is conveyed to a user in a real-world application of the tangible results. The claims are non-statutory because applicant is claiming an intangible software program per se and because they do not claim a practical application with a tangible result. (*see MPEP Section 2106(IV)(C)*).

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 3-4 and 14-16 recites the limitation "the request identification transition" in line 1.

There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. **Claims rejected under 35 U.S.C. 102(b) as being anticipated by Microsoft ("ASP.NET QuickStarts Tutorial", dated 2002).**

7. In reference to claim 1, Microsoft teaches a method for tracking completion of a request across a request identification boundary in a system including a trace log for recording stages of completing a request, the method comprising:

first recording, within the trace log, a first event including a first request identification (page 1 and figure 1);

second recording, within the trace log, a second event including a second request identification (page 1 and figure 1); and

storing linking information, within the trace log marking a transition of the request identification from the first request identification to the second request identification (page 1 and figure 1).

8. In reference to claim 2, Microsoft teaches the method of claim 1 wherein the request identification transition corresponds to processing the request by a first and a second server component (page 1 and figure 1).

9. In reference to claim 3, Microsoft teaches the method of claim 1 wherein the request identification transition corresponds to processing the request by a first and a second thread (page 1 and figure 1).

10. In reference to claim 4, Microsoft teaches the method of claim 1 wherein the request identification transition corresponds to changing a request identification while completing a same transaction arising from the request (page 1 and figure 1).

11. In reference to claim 5, Microsoft teaches the method of claim 1 wherein the request identification transition corresponds to transferring a request from a first machine to a second machine (page 1).

12. In reference to claim 6, Microsoft teaches the method of claim 1 further comprising the step of correlating, by a consumer utility, the first and second events to the request using the linking information (page 1).

13. In reference to claim 7, Microsoft teaches the method of claim 6 further comprising applying by the consumer utility, a set of trace records for the request, including event records for the first and second events, to a state machine (page 2 and figure 2).

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14. In reference to claim 8, Microsoft teaches the method of claim 7 wherein the state machine models a sequence of events corresponding to a composite request (pages 2-4).

15. In reference to claim 9, Microsoft teaches the method of claim 7 wherein an event type value is stored for each recorded event and wherein the event type value directs progression of the state machine (pages 2-4).

16. In reference to claim 10, Microsoft teaches the method of claim 1 wherein the storing linking information step is performed after the first recording event and before the second recording step (pages 2-4).

17. In reference to claim 11, Microsoft teaches the method of claim 1 wherein the linking information comprises a request identification transition event record, and wherein the request identification transition event record includes: a transition event identifier, the first request identification, and the second request identification (pages 2-4).

18. In reference to claim 12, Microsoft teaches the method of claim 1 wherein the first recording step and second recording step each comprises storing a timestamp corresponding to the first and second events, respectively (pages 2-4).

19. In reference to claims 13-24, 25-28 and 29-31, these claims respectively teach an event framework, an event utility, and an event record provider which all correspond to the method claims of claims 1-12. Therefore, claims 13-24, 25-28 and 29-31 are rejected based upon the same rationale as the above rejections of claims 1-12.

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Conclusion


20. The claims are interpreted with their broadest reasonable interpretation. Applicant is advised that the above specified citations of the relied upon prior art are only representative of the teachings of the prior art, and that any other supportive sections within the entirety of the reference (including any figures, incorporation by references, claims and priority documents) is implied as being applied to teach the scope of the claims.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ramy M. Osman whose telephone number is (571) 272-4008. The examiner can normally be reached on M-F 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571) 272-4001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

RMO
March 2, 2007


ARJO ETIENNE
PATENT EXAMINER
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